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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,842	09/17/2003	Yoshio Tamura	Q77455	2851
23373 7590 02/03/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
AN, IG TAI				
ART UNIT		PAPER NUMBER		
3687				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/663,842

Applicant(s)

TAMURA ET AL.

Examiner

Ig T. An

Art Unit

3687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The Amendment filed on 18 November 2008 has been acknowledged. Claims 1, 9, 17 – 19, 21, 23 - 24 are amended. Claims 28 – 39 are newly presented. Currently, claims 1 – 39 are presented and considered as set forth.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 18 November 2008 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 – 7, 9 – 15, 17 – 22, and 24 – 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snapp et al. (Hereinafter Snapp) (US 20030233246).**

As per Claims 1, 9, and 17, Snapp teaches systems and method for selling electronic equipment brought into a shop as used electronic equipment (Paragraph 34 - 73), said system comprising:

a function check circuit provided in said electronic equipment, said function check circuit checking whether said electronic equipment operates normally (Paragraph 43 – 55 and 73 teaches checking the product for damage, defect and functionality of electronic item);

a data input-output device for sending and receiving product data of said electronic equipment, said data input-output device sending said product data including a model code read from said electronic equipment to a manufacturer of said electronic equipment when said electronic equipment operates normally (Paragraph 34 – 36, 42 and 73 teaches receiving the data of the electronic item based on the item code); and

a model search device for identifying the model of said electronic equipment on the basis of said product data, and said manufacturer sending a part corresponding to identified said model to said shop (Paragraph 34 – 36, 42, 61 and 73 teaches receiving data of the electronic item and replacing missing parts, instruction or paperwork, or repair items. Since the system of Snapp receive data of the item and replacing corresponding parts or repairs item, the Examiner construes that it is obvious that model search device is implemented in the system and the search device identify the parts of the item and receive missing parts from assembler, supplier, or manufacturer);

a product sale information generation unit, which generates information for selling said electronic equipment as used electronic equipment (Paragraph 34 – 42, 62

– 64 and 73 teaches that the repaired or reconditioned or repackaged electronic item is sold as used item and used item information is provided to the potential buyer);

wherein said information for selling comprises information for a used product warranty based on the length of time that said product has been used (Paragraph 42, 64 – 65 and 73 teaches the warranty information on the electronic item. Since the item is returned item, the warranty information of the item would be length of the time left for warranty coverage).

As per Claims 2, and 10, Snapp teaches wherein said part is a packing box for packing (Paragraph 61).

As per Claims 3, 11, and 18, Snapp teaches wherein model information of identified said model is printed on said packing box (Paragraph 34 – 36 and 42). The Examiner notes that the returned item is sent to the bailee using delivery service such as UPS. Therefore, it is obvious to pack the items in a box in order to protect item and ship the item to the bailee.

As per Claims 4, 12, and 19, Snapp teaches wherein said product data includes used time information of said electronic equipment and said used time information is printed on said packing box (Paragraph 34 – 36, 42, 62 – 64 and 73). The prior art further discloses information regarding the warranty information and the other used item

related information. Therefore, the Examiner construes that it is obvious to instruction/paperwork to contain warranty information containing used time information.

As per Claims 5, 13 and 20, Snapp teaches wherein said part is an operation manual corresponding to identified said model shop (Paragraph 61).

As per Claims 6, 14, and 21, Snapp teaches wherein said product data includes used time information of said electronic equipment, and said operation manual describes a warranty according to said used time information (Paragraph 42 and 62 – 64 teaches instruction/paperwork and warranty information on the used item. Therefore, it is obvious to construes that the instruction or paperwork to include the warranty information of the used item).

As per Claims 7, and 15, Snapp teaches wherein said product data includes used time information of said electronic equipment, and said part includes an operation manual corresponding to identified said model and a document describing a warranty according to said used time information (Paragraph 42 and 62 – 64 teaches instruction/paperwork and warranty information on the used item. The prior art further discloses information regarding the warranty information and the other used item related information. Therefore, the Examiner construes that it is obvious to instruction/paperwork to contain warranty information containing used time information).

As per Claim 22, Snapp teaches wherein said shop places said electronic equipment brought into said box (Paragraph 61).

As per Claim 24, Snapp teaches placing said electronic equipment in said box (Paragraph 61).

As per Claim 25, Snapp teaches wherein said input-output device sends said product data to said manufacturer based on an output of the function check circuit which indicates that the electronic equipment operates normally (Paragraph 42 – 55).

As per Claim 26, Snapp teaches wherein said manufacturer receives the product data from the data input-output device in the event that the function check circuit indicates that the electronic equipment operates normally (Paragraph 42 – 55).

As per Claim 27, Snapp teaches checking the electronic equipment indicates that the electronic equipment does not operate normally (Paragraph 42 – 61).

As per claim 28, Snapp teaches a label generation unit, which generates a label for selling said electronic equipment as used electronic equipment (Paragraph 34 – 36).

As per claim 29, Snapp teaches generating a label for selling said electronic equipment as used electronic equipment (Paragraph 34 – 36 and 42). The Examiner

notes that the returned item is sent to the bailee using delivery service such as UPS. Therefore, it is obvious to pack the items in a box in order to protect item and ship the item to the bailee. The prior art further discloses information regarding the warranty information and the other used item related information. Therefore, the Examiner construes that it is obvious to instruction/paperwork to contain warranty information containing used time information.

As per claim 30, Snapp teaches affixing said label to said box before said box is sent to said shop (Paragraph 34 – 36).

As per claim 31, Snapp teaches wherein said information for selling is printed on said label (Paragraph 34 – 42).

As per claim 32, Snapp teaches wherein said information for selling printed on said label comprises used time indicating how long the electronic equipment was used (Paragraph 34 – 42 and 64 teaches the warranty information and other item related information such as the description and size, color, etc. and also the return authorization has information of the date of purchase. The return authorization number is attached to the label. Therefore, it is obvious that the label has information of how long the electronic equipment was used).

As per claim 33, Snapp teaches wherein said information for selling printed on said label comprises used time indicating how long the electronic equipment was used (Paragraph 34 – 42 and 64 teaches the warranty information and other item related information such as the description and size, color, etc. and also the return authorization has information of the date of purchase. The return authorization number is attached to the label. Therefore, it is obvious that the label has information of how long the electronic equipment was used).

As per claim 34, Snapp teaches 34. (new): The method of claim 18, wherein information about changes in a warranty for said electronic equipment is sent with said box (Paragraph 42, 64 – 65 and 73 teaches the warranty information on the electronic item. Since the item is returned item, the warranty information of the item would be length of the time left for warranty coverage).

As per claim 35, Snapp teaches wherein said used product warranty is a manufacturer's warranty for products sold as used products (Paragraph 42, 64 – 65 and 73 teaches the warranty information on the electronic item. Since the item is returned item, the warranty information of the item would be length of the time left for warranty coverage).

As per claim 36, Snapp teaches a system for selling electronic equipment brought into a shop as used electronic equipment (Paragraph 34 – 73), said system comprising:

means for checking whether said electronic equipment operates normally (Paragraph 43 – 55 and 73 teaches checking the product for damage, defect and functionality of electronic item);

means for sending and receiving product data of said electronic equipment, that sends said product data including a model code read from said electronic equipment to a manufacturer of said electronic equipment when said electronic equipment operates normally (Paragraph 34 – 36, 42 and 73 teaches receiving the data of the electronic item based on the item code); and

means for identifying a model of said electronic equipment based on said product data, and said manufacturer sending a part corresponding to identified said model to said shop (Paragraph 34 – 36, 42, 61 and 73 teaches receiving data of the electronic item and replacing missing parts, instruction or paperwork, or repair items. Since the system of Snapp receives data of the item and replacing corresponding parts or repairs item, the Examiner construes that it is obvious that model search device is implemented in the system and the search device identify the parts of the item and receive missing parts from assembler, supplier, or manufacturer).

As per claim 37, Snapp teaches means for generating product sale information for selling said electronic equipment as used electronic equipment (Paragraph 36, 62 –

64 and 73 teaches that the repaired or reconditioned or repackaged electronic item is sold as used item and used item information is provided to the potential buyer);

wherein said information for selling comprises information for a used product warranty based on the length of time that said product has been used (Paragraph 42, 64 – 65 and 73 teaches the warranty information on the electronic item. Since the item is returned item, the warranty information of the item would be length of the time left for warranty coverage).

As per claim 38, Snapp teaches means for generating a label for selling said electronic equipment as used electronic equipment, wherein the label displays a model number of said electronic equipment (Paragraph 34 – 42 and 64 teaches the item code which contains item related information).

As per claim 39, Snapp teaches wherein said used product warranty is a manufacturer's warranty for products sold as used products (Paragraph 42, 64 – 65 and 73 teaches the warranty information on the electronic item. Since the item is returned item, the warranty information of the item would be length of the time left for warranty coverage).

1. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snapp in view of Hadjigeorgis (US20020152118).

As per Claims 8 and 16, Snapp discloses all the elements of the claimed invention but is silent regarding wherein said electronic equipment is a digital camera.

Hadjigeorgis discloses a point of sale rebate award system having wherein said electronic equipment is a digital camera (See paragraph 38; via digital camera sale). Therefore, from this teaching of Hadjigeorgis, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify method and system which resells returned or used item of Snapp to include digital camera sale as taught by Hadjigeorgis to earn profit from the sale.

Furthermore, all the claimed elements were known in the prior arts of Snapp and Hadjigeorgis, and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

2. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snapp in view of Official Notice.

As per Claim 23, Snapp discloses the claimed invention such as servicing and reselling the used electronic equipment (Paragraph 62 - 64) but is silent regarding cleaning said electronic equipment. Examiner takes Official Notice that is old and well known in the art of re-sale the second hand or used product to provide cleaning the product. Many internet web-stores such as www.buy.com or www.gamestop.com

provided customer with used products which are already clean and serviced to prove that the product is working properly. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to provide the product management system such as servicing product and re-sale the product of Snapp with the cleaning the used product as taught by Examiner's Official Notice, in order to increase customer satisfaction on used product.

Response to Arguments

3. Applicant's arguments, see Remarks, filed on 18 November 2008, with respect to the rejection(s) of claim(s) 1 and 2 under Tsukishima have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Snapp et al..

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Woolston et al. (US 5845265) discloses consignment nodes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ig T. An whose telephone number is (571)270-5110. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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